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EXAMINER	
NGUYEN, HUY THANH	

ART UNIT	PAPER NUMBER
2621	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/802,004	ANDO ET AL.	
	Examiner	Art Unit	
	HUY T. NGUYEN	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 April 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *14-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *14-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saeki et al (6,078,727) in view of Gotoh et al (6,282,365).

Regarding claims 14-17, Saeki discloses a recording/ reproducing apparatus for recording VOBs and management information on a machine readable information storage medium embodied as a recordable optical disc (Fig. 3)for access by an optical disc drive, wherein a track is formed on the medium, said track being configured to have data recorded thereon and data reproduced therefrom by an information recording/reproducing apparatus including the optical disc drive, said data including

VOB data representing video object data, and control information (Figs. 7-9), the information storage medium comprising:

a data area storing a plurality of ECC blocks including the VOB data, said VOB data being configured to have at least one of video object units wherein a predetermined number of sectors form each of the ECC blocks (Fig. 4-5), each of the sectors has a predetermined size, and the predetermined number of said sectors relates to an ECC block, each ECC block assigned with a number and

a control information recording area storing the control information (Figs.7-10) , the control information being configured to control or manage the VOB data and including movie file information table M_AVFIT having a first area configured to store movie VOB stream information M_VOB_STI and a second area configured to store movie AV file information M_AVFI describing information on said data area for the VOB data, said M_AVFI including one or more movie VOB information search pointers M_VOBI_SRPs associated with one or more pieces of movie VOB information M_VOBI (column 9, lines 14-40), wherein

each said M_VOBI includes time map information TMAPI including time map general information TMAP_GI, one or more time entries TM_ENTs, and one or more video object unit entries VOBU_ENTs (Fig. 8-12) (column 10),

each said VOBU_ENT includes playback time information VOBU_PB_TM of a corresponding video object unit VOBU of the video object units and size information VOBU_SZ of the corresponding VOBU, (Fig. 11, column 11, lines 1-40)

each said TM_ENT includes numeral information VOBU_ENTN on a corresponding

video object unit entry VOBU_ENT of the video object unit entries(column 2, lines 35-65, column 11,lines 1-45, Fig. 11),.

Saeki further teaches movie file includes general information (Figs. 7 and 8) and the optical disc comprises a center hole at a center of rotation of the disc, a lead-in area around the center hole, and the data area around the lead-in area (Fig. 3).

Saeki fails to teach an ECC address.

Gotoh teaches an ECC address (fig. 7, 24, column 8, lines 25-45). It would have been obvious to one of ordinary skill in the art to modify Saeki with Gotoh by providing addresses to the ECC blocks thereby accurately locating and accessing the ECC blocks.

Further for claims 15-17, Saeki further teaches a recording/ reproducing apparatus for recording and reproducing VOBs and management information in the data area and control area (See Saeki, Figs. 15 and 19.)..

Double Patenting

3. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to

be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

4. Claims 14-17 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 19-22 of copending Application No. 11/501,739 . Although the conflicting claims are not identical, they are not patentably distinct from each other because the difference between claims 14-17 of the present application and claims 19-22 of copending Application No. 11/501,739 is that claims 19-22 copending Application No. 11/501,739 further recite the use reference zone and control zone in the lead in area that is not found in claims 14-17 of the present application . Since the subject matter of claims 19-22 of copending Application No. 11/501,739 encompass the subject matter of claims 14-17 of the present application. it would have been obvious to one of ordinary skill in the art to modify and edit claims 19-22 of copending Application No. 11/501,739 by eliminating the recitation of the reference zone and control zone information from the recording medium of claims 19-22 of copending Application No. 11/501,739 to produce claims 14-17 of the present application.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented

5. Claims 14-17 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 14-16 of copending Application No. 11/484,781. Although the conflicting claims are not identical,

they are not patentably distinct from each other because the difference between claims 14-17 of the present application and claims 14-16 of copending Application No. 11/484,781 is that that claims 14-16 of copending Application No. 11/484,781 further recite the use of text and still picture information that is not found in claims 14-17 35 of the present application . Since the subject matters of claims 14-16 of encompass the subject matters of claims 14-17 of the present application , it would have been obvious to one of ordinary skill in the art to modify and edit claims 14-16 of copending Application No. 11/484,781 by eliminating the recitation of using text and still picture information from the recording medium of claims 14-16 of copending Application No. 11/484,781 to produce claims 14-17 of the present application.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

6. Claims 14-17 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 14-16 of copending Application No. 11/484,696. Although the conflicting claims are not identical, they are not patentably distinct from each other because the difference between claims 14-17 of the present application and claims 14-16 of copending Application No. 11/484,696 is that claims 14-16 of copending Application No. 11/484,696 further recite the use of text and still picture information that is not found in claims 14-17 of the present application . Since the subject matter of claims 14-16 of copending

Application No. 11/484,696 encompass claims 14-17 of the present application , it would have been obvious to one of ordinary skill in the art to modify and edit claims 14-16 of copending Application No. 11/484,696 by eliminating the recitation of using text and still picture information from the recording medium of claims 14-16 of copending Application No. 11/484,696 to produce claims 14-17 of the present application.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

7. Claims 14-17 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 14-16 of copending Application No. 11/501,892. Although the conflicting claims are not identical, they are not patentably distinct from each other because the difference between claims 14-17 of the present application and claims 14-16 of copending Application No. 11/501,892 further recite the use of text and still picture information that is not found in claims 14-17 of the present application . Since the subject matter of claims 14-16 of encompass the subject matter of claims 33-35 of the present application , it would have been obvious to one of ordinary skill in the art to modify and edit claims 14-16 of copending Application No. 11/501,892 by eliminating the recitation of using text and still picture information from the recording medium of claims 14-16 of

copending Application No. 11/501,892 to produce claims 14-17 of the present application.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

8. Claims 14-17 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 14-16 of copending Application No. 11/484,640. Although the conflicting claims are not identical, they are not patentably distinct from each other because the difference between claims 14-17 of the present application and claims 14-16 of copending Application No. 11/484,640 is that claims 14-16 of copending Application No. 11/484,640 further recite the use of still picture information that is not found in claims 14-17 of the present application . Since the subject matter of claims 14-16 of copending Application No. 11/484,640 encompass the subject matter of claims 14-17 of the present application, it would have been obvious to one of ordinary skill in the art to modify and edit claims 14-16 of copending Application No. 11/484,640 by eliminating the recitation of using still picture information from the recording medium of claims 14-16 of copending Application No. 11/484,640 to produce claims 14-17 of the present application.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

9. Claims 14-17 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 14-16 of copending Application No. 11/501,856. Although the conflicting claims are not identical, they are not patentably distinct from each other because the difference between claims 14-17 of the present application and claims 14-16 of copending Application No. 11/501,856 is that claims 14-16 of copending Application No. 11/501,856 further recite the use of calculated and difference time information that is not found in claims 14-17 of the present application . Since the subject matter of claims 14-16 of the copending application encompass the subject matter of claims 14-17 of the present application , it would have been obvious to one of ordinary skill in the art to modify and edit claims 14-16 of copending Application No. 11/501,856 by eliminating the recitation of using calculated and difference time information from the recording medium of claims 14-16 of copending Application No. 11/501,856 to produce claims 14-17 of the present application.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

10. Claims 14-17 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 14-16 of copending Application No. 11/501,889. Although the conflicting claims are not identical, they are not patentably distinct from each other because the difference between claims 14-17 of the present application and claims 14-16 of copending Application No. 11/501,889 is that that claims 14-16 of copending Application No. 11/501,889 further recite the a control zone in the lead-in area of the medium that is not found in claims 14-17 of the present application . Since the subject matters of claims 14-16 of encompass the subject matters of claims 14-17 of the present application , it would have been obvious to one of ordinary skill in the art to modify and edit claims 14-16 of copending Application No. 11/501,889 to produce claims 14-17 of the present application.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

11. Claims 14-17 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 14-16 of copending Application No. 11/501,853. Although the conflicting claims are not identical, they are not patentably distinct from each other because the difference between claims 14-17 of the present application and claims 14-16 of copending Application No. 11/501,853 is that that claims 14-16 of copending Application No. 11/501,853 further

recite the a control zone in the lead-in area of the medium that is not found in claims 14-17 of the present application . Since the subject matters of claims 14-16 of encompass the subject matters of claims 14-17 of the present application , it would have been obvious to one of ordinary skill in the art to modify and edit claims 14-16 of copending Application No. 11/501,853 to produce claims 14-17 of the present application.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

12. Claims 14-17 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 14-16 of copending Application No. 11/501,891. Although the conflicting claims are not identical, they are not patentably distinct from each other because the difference between claims 14-17 of the present application and claims 14-16 of copending Application No. 11/501,891 is that that claims 14-16 of copending Application No. 11/501,891 further recite a transmission rate of the data that is not found in claims 14-17 of the present application . Since the subject matters of claims 14-16 of encompass the subject matters of claims 14-17 of the present application , it would have been obvious to one of ordinary skill in the art to modify and edit claims 14-16 of copending Application No. 11/501,881 to produce claims 14-17 of the present application.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

13. Claims 14-17 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 14-16 of copending Application No. 11/484,695. Although the conflicting claims are not identical, they are not patentably distinct from each other because the difference between claims 14-17 of the present application and claims 14-16 of copending Application No. 11/484,695 is that that claims 14-16 of copending Application No. 11/484,695 further recite a transmission rate of the data that is not found in claims 14-17 of the present application . Since the subject matters of claims 14-16 of encompass the subject matters of claims 14-17 of the present application , it would have been obvious to one of ordinary skill in the art to modify and edit claims 14-16 of copending Application No. 11/484,695 to produce claims 14-17 of the present application.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

14. Claims 14-17 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 19-22 of copending Application No. 11/501,766 . Although the conflicting claims are not identical, they are not patentably distinct from each other because the difference

between claims 14-17 of the present application and claims 19-22 of copending Application No. 11/501,739 is that claims 19-22 of copending Application No. 11/501,766 further recite the use reference zone in the lead in area of the medium that is not found in claims 14-17 of the present application . Since the subject matter of claims 14-16 of copending Application No. 11/501,766 encompass the subject matter of claims 14-17 of the present application. it would have been obvious to one of ordinary skill in the art to modify and edit claims 19-22 of copending Application No. 11/501,739 by eliminating the recitation of the reference zone information from the recording medium of claims 19-22 of copending Application No. 11/501,766 to produce claims 14-17 of the present application.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented

15. Claims 14-17 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 14-16 of copending Application No. 11/501, 873 . Although the conflicting claims are not identical, they are not patentably distinct from each other because the difference between claims 14-17 of the present application and claims 14-16 of copending Application No. 11/501,873 is that claims 14-16 copending Application No. 11/501,873 further recite the use of program chain and user defined program chain that is not found in claims 14-17 of the present application . Since the subject matter of claims 14-16 of copending Application No. 11/501,766 encompass the subject

matter of claims 14-17 of the present application. it would have been obvious to one of ordinary skill in the art to modify and edit claims 14-16 of copending Application No. 11/501,873 by eliminating the recitation of program chain and user de fined program chain from the recording medium of claims 14-16 of copending Application No. 11/501,873 to produce claims 14-17 of the present application.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

16. Claims 14-17 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 14-16 of copending Application No. 11/501, 748 . Although the conflicting claims are not identical, they are not patentably distinct from each other because the difference between claims 14-17 of the present application and claims 19-22 of copending Application No. 11/501,748 is that claims 19-22 copending Application No. 11/501,748 further recite the use the address offset information of the video object data that is not found in claims 14-17 of the present application . Since the subject matter of claims 19-22 of copending Application No. 11/501,748 encompass the subject matter of claims 14-17 of the present application. it would have been obvious to one of ordinary skill in the art to modify and edit claims 19-22 of copending Application No. 11/501,748 by eliminating the recitation of the address offset information of the video data program from the recording medium of claims 19-22 of

copending Application No. 11/501,748 to produce claims 14-17 of the present application.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

17. Claims 14-17 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 33-35 of copending Application No. 10/669,525 . Although the conflicting claims are not identical, they are not patentably distinct from each other because the difference between claims 14-17 of the present application and claims 33-35 copending Application No. 10/669,525 is that claims 33-35 of copending Application No. 10/669,525 further recite the use the general information for video objects that is not found in claims 14-17 of the present application . Since the subject matter of claims 33-35 of copending Application No. 10/669,525 encompass the subject matter of claims 14-17 of the present application. it would have been obvious to one of ordinary skill in the art to modify and edit claims 33-35 of copending Application No. 10/669,525 by eliminating the recitation of the general information from the recording medium of claims 33-35 of copending Application No. 10,669,525 to produce claims 14-17 of the present application.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Conclusion

18. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUY T. NGUYEN whose telephone number is (571)272-7378. The examiner can normally be reached on 8:30AM -6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/HUY T NGUYEN/

Primary Examiner, Art Unit 2621